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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Engelhardt et al.

Serial No. 07/960,071

Filed: October 13, 1992

Title: SUGAR MOIETY LABELED
NUCLEOTIDES

Group Art Unit: 1812

Exam'r: Gian Wang, Ph.D.

575 Fifth Avenue, 18th Floor
New York, New York 10017

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

TERMINAL (STATUTORY) DISCLAIMER

Enzo Diagnostics, Inc., through its parent company, Enzo Biochem, Inc., a corporation organized under the laws of the State of New York and having corporate offices at 575 Fifth Avenue, 18th Floor, New York, New York 10017, and other offices and facilities at 60 Executive Boulevard, Farmingdale, New York 11735-4716, is the assignee of the entire interest in:

- (1) the above-identified U.S. Patent Application Serial No. 07/960,071, (hereinafter "the subject application") for "Sugar Moiety Labeled Nucleotides" that was filed on October 13, 1992 as a continuation of U.S. Patent Application Serial No. 07/531,953, filed on June 1, 1990, now abandoned, which is a divisional of U.S. Patent Application Serial No. 07/140,980, filed on January 5, 1988, also abandoned, which is a continuation of U.S. Patent Application Serial No. 06/391,440, filed on June 23, 1982, abandoned; and
- (2) U.S. Patent No. 5,260,433 that issued on November 9, 1993, for "Saccharide Specific Binding System Labeled Nucleotides" based on U.S. Patent Application Serial No. 07/567,039, that was filed on August 13, 1990 as a divisional of the aforementioned U.S. Patent Application Serial No. 07/140,980, filed on January 5, 1988;

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both by virtue of an assignment recorded with the United States Patent and Trademark Office on April 17, 1991 at Reel 5673, Frame 0274, in connection with the aforementioned predecessor application, Serial No. 07/567,039 (filed on August 13, 1990) and Serial No. 07/531,953 (filed on June 1, 1990). A copy of the Notice of Recordation of Assignment Document is attached hereto as Exhibit (a). The parent company, Enzo Biochem, Inc., was the previous assignee of the entire interest in both the subject application and U.S. Patent Application Serial No. 07/567,039 (now U.S. Patent No. 5,260,433) by virtue of an assignment from the originally named five (5) inventors that was recorded on June 23, 1982 at Reel 4019, Frames 0405-0407. A copy of that Notice of Recordation of Assignment Document is attached hereto as Exhibit (b). As the assignee, Enzo Diagnostics, Inc., through the undersigned officer, has reviewed the evidentiary documents and certifies, to the best of its knowledge and belief, that title is in the assignee seeking to take action.

Enzo Diagnostics, Inc. hereby disclaims the terminal part of any patent granted on the subject application, which would extend beyond November 9, 2010, i.e., the expiration date of U.S. Patent No. 5,260,433, issued on November 9, 1993, also assigned to and owned by Enzo Diagnostics, Inc., as described above and supported by attached Exhibit (a). Enzo Diagnostics, Inc. hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,260,433, this agreement to run with any patent granted on the subject application and to be binding upon the grantee, its successor or assigns.

Attached to this paper is a completed, signed certificate Under 37 C.F.R. §3.73(b) as set forth in the Federal Register on July 6, 1992 (Vol. 52, No. 129, 29634-29648), and in the Official Gazette on July 28, 1992.

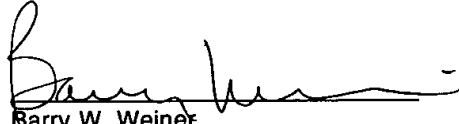
A fee of \$110.00 is required under 37 C.F.R. §1.20(d) ("Post issuance fees") in connection with the filing of this Terminal (Statutory) Disclaimer. The Patent Office is

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hereby authorized to charge Deposit Account 05-1135 for the requisite fee of \$110.00
(and any additional fees hereof) and to credit any overpayment thereto.

ENZO DIAGNOSTICS, INC.

Signed at New York, New York
this 30th day of January, 1995 By



Barry W. Weiner
Executive Vice President and duly authorized
to sign on behalf of Enzo Diagnostics, Inc.
